

## **REMARKS**

### **1. Amendments to the Claims**

Claims 1, 3-12, and 16 are pending. Claims 2, 13-15, and 17 are cancelled.

Claim 1 is amended. Support for the amendment to claim 1 is found in original claim 15.

Claims 1, 8, and 11 are also amended to change C<sub>1</sub>-C<sub>5</sub>-cycloalkyl to C<sub>3</sub>-C<sub>5</sub>-cycloalkyl. This corrects an error that would have been obvious to one of skill in the art, and is further supported by the Specification at page 12, lines 16-17.

Claim 7 is amended to add a space.

Claim 8 is amended to incorporate claim 17. Support for the amendment can be found in the Specification at page 10, lines 14-15.

Additional amendments of a minor editorial nature are made to claims 1, 8, 11 and 16.

No new matter is added.

### **2. Claim Rejections under 35 U.S.C. § 112, second paragraph**

Applicants have amended claim 1 to incorporate claim 15. Applicants submit that this amendment overcomes the Examiner's rejection. Applicants request that the rejection be withdrawn.

### **3. Claim Rejections under 35 U.S.C. § 102(b)**

Applicants have amended claim 8 to incorporate claim 17. Since the recitation that Hy is methyl, ethyl, chlorine, bromine methoxy, and trifluoromethyl does not include n-propyl, Applicants submit that the amendment obviates the rejection. Applicants request that the rejection be withdrawn.

### **4. Claim Objections**

The Examiner objects to claims 1 and 8 as reciting a cycloalkyl with less than three carbons. Applicants have amended claims 1, 8, and 11 (which also included the recitation), thereby obviating the rejection.

Claims 9-11 and 15-17 have been objected to as depending from a rejected base claim. Applicants submit that the amendments to claims 1 and 8 overcome all of the Examiner's rejections. Thus, Applicants have not amended the dependent claims. Because Applicants believe the amendments put the claims in a position for allowance, Applicants request the entry of the claims and subsequent allowance of all claims.

If, however, the Examiner finds a further error or objection in the claims, Applicants sincerely request that the Examiner contact Applicants' Representative to discuss whether any such error can be corrected without filing an RCE.


### **CONCLUSION**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell Reg. No. 36,623 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: June 11, 2009

Respectfully submitted,

By   
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